

Remarks

This amendment is in response to the Office Action mailed on June 2, 2004. Claim 1 has been amended and new claim 13 has been added. The amendments to claim 1 are supported at page 11, lines 20-22, Figures 1 and 2, and claim 4. New claim 13 combines previously presented claims 1 and 2. Accordingly, no new subject matter has been added. Applicants submit that in view of the above amendments and the following remarks the pending claims are in condition for allowance.

Claims 1 and 3 were rejected under 35 U.S.C. § 102(e) as being anticipated by Kobayashi et al. (U.S. 6,229,688). This rejection is traversed. Claim 1 recites a semiconductor device comprising, among other things, a light emitting or receiving semiconductor chip sealed by a resin package wherein the semiconductor chip has an outer surface that is coated with a coating film formed of amorphous fluororesin. Claim 1 further recites that the coating film is entirely spaced from all outer surfaces of the resin package and that the coating film has a thickness of 5-50µm. Kobayashi et al. fail to disclose at least the above-recited features.

In particular Kobayashi et al. fail to disclose a semiconductor device comprising a light emitting or receiving semiconductor chip. In addition, it fails to disclose or suggest a coating film that is entirely spaced from all outer surfaces of the resin package. Instead, Kobayashi et al. disclose a capacitor element. See Kobayashi et al. at the title, the abstract, and the detailed description at column 4, line 48 through column 5, line 11. In addition, the coating film 10 of Kobayashi et al. is for venting water vapor. As such, the coating film 10 is exposed to the outer surface of the resin 4. See Kobayashi et al. at column 4, line 59 through column 5, line 11, column 5, lines 40-50, column 7, lines 1-5, and Figure 5. Accordingly, claim 1 is not anticipated. Claims 2-3 and 5-6 depend on and further limit claim 1; therefore, they are not anticipated for at least the same reasons.

Claim 4 was rejected under 35 U.S.C. § 103(a) as being obvious over Kobayashi et al. in view of Sakai et al. (U.S. 5,128,209). The subject matter of claim 4 has been incorporated into claim 1. This rejection is moot with respect to claim 4 since claim 4 has been canceled. To the extent that this rejection is applied to claim 1, the rejection is traversed.

Neither Kobayashi et al. nor Sakai et al. is directed at a light emitting semiconductor device. As discussed above, Kobayashi et al. are directed at a chip type solid electrolytic capacitor. Sakai et al. are directed at a composite gasket material. Sakai et al. disclose that the

gasket material can be placed between the cylinder assembly and engine block of a sport motorcycle engine. See Sakai et al. at column 3, lines 60-63. There is no motivation in the prior art to combine Sakai et al. with Kobayashi et al. Even if such a combination was possible, for reasons discussed above, the combination would not render claim 1 obvious.

Claims 5 and 6 were rejected under 35 U.S.C. § 103(a) as being obvious over Kobayashi et al. in view of the prior art discussed in Applicants' disclosure. This rejection is traversed. The Office Action states that Kobayashi et al. substantially disclose all the limitations of claim 1 except for the chip being an LED chip and that the resin package is formed of transparent resin. As discussed above, Kobayashi et al. are directed at a chip type solid electrolytic capacitor. There is no teaching in the prior art to combine such a device with transparent resin and an LED chip. Therefore, for this additional reason, claims 5 and 6 are not obvious.

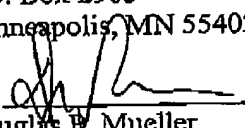
The outstanding Office Action indicates that claim 2 would be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims. In response, claim 2 has been rewritten as new claim 13 to incorporate all the limitations of previously presented claim 1. Accordingly, claim 2 is allowable.

With the above amendments and remarks, Applicants believe that the claims pending in this patent application are in a condition for allowance. Favorable consideration is respectfully requested. If any further questions arise, the Examiner is invited to contact Applicants' representative at the number listed below.

Respectfully Submitted,

Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903

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By 
Douglas P. Mueller
Reg. No. 30,300
DPM/JEL:sl

